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09/944,694	08/31/2001	Matthew Gast	NC30561	2124

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EXAMINER
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ART UNIT	PAPER NUMBER
2135	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>05 May 2008</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☒ The period for reply expires <u>3</u> months from the mailing date of the final rejection.

   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

     Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a)☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b)☐ They raise the issue of new matter (see NOTE below);

   (c)☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.

     NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: *1,2 and 4-11*.

   Claim(s) withdrawn from consideration: *3 and 12-18*.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet.</u>

12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____

13. ☐ Other: _____.

  /KIMYEN VU/
  Supervisory Patent Examiner, Art Unit 2135

Continuation of 11. does NOT place the application in condition for allowance because: Claims 1, 2, and 4-11 remains rejected over the Grabelsky and Zarom combination.

Regarding the argument on pg.5 (last paragraph):

As for Zarom, is combined with Grabelsky to translate cleartext data. The claimed invention does not suggest nor can it soley be interpreted as modifying data becuase translating can also broadly be given as interpreting or corresponding by altering from one form to another form or type. For instance, address translation is known in the art as address A corresponds to address B that masks the real address so as to protect the real address from being exposed. Another example is described by the Zarom reference. Zarom teaches various examples of cleartext data into another cleartext data or (language) format translated to another format (col.3, lines 26-37): HTML to WML (col.1, lines 57-58), TCP packets to WTP packets (col.7, lines 58-60), WAP to TCP packets (col.9, lines 40-50), IP packet to a WAP network packet (col.6, lines 55-58). Zarom teaches it would have been obvious for a person of ordinary skills in the art to combine the teaching of Grabelsky with the teaching of translating the first plurality of cleartext data into a second plurality of cleartext data in accordance with at least one translation rule as taught by Zarom because the increasing demand for different types of communication services through the increasing popular portable electronic devices (col.1, lines 14-22) that there is a need to extend the power and efficacy of operation of portable, wireless electronic communication devices. Thus, Zarom teaches translating at IP level is faster and efficient in order to effectively to communicate deliver content from the Internet (col.1, lines 50-63 and col.6, lines 21-35).

Regarding the argument on pg.6: regarding the router of Grabelsky and regarding Grabelsky's router does not modify contents of received, secured (IPSEC) packets since to do so would compromise the security of those packets.
The claimed invention has no bearing on a router and is irrelevant to traverse Grabelsky's router. The main focus is that Grabelsky is brought forth to teach the translation of the cleartext data into another form.

Regarding the argument on pg.6-7: regarding Grabelsky's router does not modify contents of received, secured (IPSEC) packets since to do so would compromise the security of those packets . Applicant points to passages that are either explaining the background of the invention which usually consists of history of prior art relating to Grabelsky's invention or the disadvantages that are known problems with the methods or techniques of other or previous inventions. Then points out the advantages or the method to solve (overcome) the known problems with his method and technique of his invention (col.4, line 24-col.5, line 28 and col.49-52). Which according to Grabelsky's invention is to overcome some of the problems of violating the IPSec using NAT routers that are known to modify packets by allowing IPSec to be used with distributed network address translation (see abstract). Grabelsky points out there are "known" problems associated with using current versions of network address translation when security is required and the Internet Protocol security protocol is used, which suggests known disadvantages of this technique in the prior art (col.3, lines 55-67). Thus, Grabelsky indicated that it is desirable to allow network address translation when Internet Protoecol security is being used to protocol Internet Protocol packets (col.4, lines 24-30). Further, Grabelsky discloses the router issues security certificates and may itself be authenticated by a higher certificate authority (col.5, lines 10-27). Rather than using NAT devices, DNAT can be used with IPSec to overcome the problems with NAT devices known in the art (col.25, lines 49-61). Thus, Grabelsky does not teach the insecure use or method of routers, rather provides protection and security for IP packets (as claimed) by using IPSec to establish secure connection to network devices (col.21, lines 4-50 and col.25, lines 53-col.26, line 25). Therefore, Grabelsky reads on the claimed method of providing network security of claim 1 and 2.

As for dependent claims, they are also rejected by virtue of dependency.

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